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12 Attorneys for Plaintiff
13 Goose Pond Ag, Inc.

14 UNITED STATES DISTRICT COURT

15 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

16 Goose Pond Ag, Inc.,

17 Plaintiff,

v.

18 Duarte Nursery, Inc., a California corporation;
19 James Duarte, an individual; John Duarte, an
20 individual; and DOES 1 through 25, inclusive,

21 Defendants.

22 No. 2:19-cv-02631 KJM DB

23 **AMENDMENT TO STIPULATION
24 REGARDING CONFIDENTIAL
25 DOCUMENTS; AND ORDER**

26 **RECITALS**

27 WHEREAS, the Parties to this action – Plaintiff Goose Pond Ag, Inc., and Defendants
28 Duarte Nursery, Inc., James Duarte and John Duarte – entered into a Stipulation Regarding
Confidential Documents (ECF No. 28), which was approved by the Court and entered as a
Protective Order on or about May 14, 2020 (ECF No. 29).

29 WHEREAS, Defendants served a FRCP Rule 45 subpoena for production of documents on
third-party Farmland Management Services (“Farmland”).

30 WHEREAS, Farmland has documents in its possession which are responsive to
31 Defendants’ subpoena and which constitute Confidential documents, as that term is defined in the
32 Protective Order, including documents which contain confidential, private financial information of
33 Farmland’s client Goose Pond Ag, Inc.

WHEREAS, Farmland is not a signatory to the Parties' stipulation and therefore not covered by the Court's Protective Order.

WHEREAS, the Parties agree that the terms and benefits of the Protective Order should also be available to Farmland.

WHEREAS, the Protective Order provides that the Parties may not modify its terms without the Court's approval (ECF No. 29, ¶ 6).

STIPULATION

NOW THEREFORE, the Parties hereby STIPULATE as follows:

9 A. The Parties propose that the Court issue an amendment to its Protective Order to allow
10 third-party Farmland Management Services to produce confidential documents in the case
11 pursuant to the terms of the Protective Order.

12 B. The Parties agree to treat the foregoing stipulation as controlling pending the
13 Court's consideration of it.

14 | IT IS SO STIPULATED,

15 | DATED: July 15, 2020

DOWNNEY BRAND LLP

By: /s/ Janlynn R. Fleener

ROBERT P. SORAN
JANLYNN R. FLEENER
Attorneys for Plaintiff
Goose Pond Ag, Inc.

21 DATED: June 30, 2020

LAW OFFICES OF BRUNN & ELYNN

By: _____ /s/ Gerald E. Brunn
(as authorized 6/30/20)

GERALD E. BRUNN
Attorneys for Duarte Nursery, Inc., James Duarte,
and John Duarte

1 DATED: June 30, 2020

BRISCOE IVESTER & BAZEL LLP

2 */s/ Peter Prows*

3 By: *(as authorized 6/30/20)*

4 DAVID M. IVESTER

5 PETER PROWS

6 Attorneys for Duarte Nursery, Inc., James Duarte,
7 and John Duarte

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DOWNEY BRAND LLP

1 **ORDER**
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3 Pursuant to the parties' stipulation, IT IS SO ORDERED.
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DATED: July 17, 2020

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2 /s/ DEBORAH BARNES
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UNITED STATES MAGISTRATE JUDGE

DOWNNEY BRAND LLP